

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

JOY LYNN PERKINS

CASE NO: 09-70041-HDH-13

HEARING DATE: 10/28/2009

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
009 0 U	ALLTEL COMMUNICATIONS	\$0.00	013 0 U	COMMUNITY STATE BANK	\$0.00
014 0 U	CONTINENTAL	\$425.00	015 0 U	ER SOLUTIONS INC	\$119.00
016 0 U	FINANCIAL CONTROL SER	\$1,835.00	019 0 U	NCO FIN 38	\$1,912.00
031 0 U	WAGGONER NATIONAL BANK	\$869.00			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
012 0 *	CITIMORTGAGE INC	HOME ARREARS THRU 2-09	\$5,379.14	\$26,620.00	10.00%	60	\$124.38 PAID BY TRUSTEE
Extended term from 52 to 60 months. See modification below.							
017 0	HSBC AUTO FINANCE	2001 DODGE RAM PICKUP	\$10,383.22	\$10,383.22	10.00%	60	\$291.07 PAID BY TRUSTEE
027 0	CITI FINANCIAL MORTGAGE	OLDSMOBILE DELTA 88	\$0.00	\$2,700.00			SURRENDERED
028 0	CITIMORTGAGE INC	DIRECT PMTS BEGIN 3-09	\$17,555.64	\$23,620.00			PD DIRECT BY DEBTOR
029 0	WILBARGER CAD	AD VALOREM TAXES	\$0.00	\$623.47			PD DIRECT BY DEBTOR
037 0	US DEPT OF HOUSING AND URBAN DEVELOPMENT	MORTGAGE - 1919 BOWIE	\$1,071.75	\$1,071.75			PD DIRECT BY DEBTOR
049 0 *	CITIMORTGAGE INC	POST PETITION ARREARS FOR 5/09 THRU 8/09	\$1,390.32	\$26,620.00	10.00%	60	\$35.80 PAID BY TRUSTEE

Per an Agreed Order entered 8/19/2009. See modification below.

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount
008 0 U	ACCOUNT RECOVERY SERVICES INC MEDICAL SERVICES/VANI VELAMATI MD	\$64.16
018 0 U *	NATIONAL CREDIT SOLUTION SERVICES -- LATE FILED	\$143.35
023 0 U	ECMC STUDENT LOAN	\$7,551.67
026 0 U	WORLD ACCEPTANCE CORPORATION SERVICES	\$1,215.65
032 0 U *	PORTFOLIO RECOVERY ASSOCIATES LLC SERVICES/SW BELL Not provided for in confirmed plan.	\$56.16

Trustee Clm#	Creditor Name	Claim Amount
011 0 U	RESURGENT CAPITAL SERVICES SERVICES/LVNV FUNDING	\$698.84
022 0 U	VATIV SERVICES/ALLTELL COMM	\$2,089.28
024 0 U	PORTFOLIO RECOVERY ASSOCIATES LLC SERVICES/WTUR	\$138.95
030 0 U	ACCOUNT RECOVERY SERVICES INC MEDICAL SERVICES/VANI VELAMATI MD	\$31.21
040 0 U *	CITIFINANCIAL LOAN Not provided for in confirmed plan.	\$2,682.66

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by the City of Vernon in the amount of \$77.38 shall be fully valued and paid direct.

Citimortgage shall be allowed a post-petition arrears record in the amount of \$1,390.32. The record will be valued at \$26,620 and paid through the plan at 10% interest over 60 months with a payment of \$35.80 per month.

All creditors shall be treated over a 60 month term.

Debtor shall pay \$296 per month beginning March 2009 for 8 months; then Debtor shall pay \$503 per month beginning November 2009 for the remaining 52 months for a total plan base amount of \$28,524.00.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 10/28/2009 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 9/10/2009

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

ACCOUNT RECOVERY SERVICES INC 3144 W 28TH SUITE A AMARILLO TX 79109
ALLTEL COMMUNICATIONS 1 ALLIED DRIVE B5F03 LITTLE ROCK AR 72202
AT&T CREDIT MANAGEMENT PO BOX 721440 NORMAN OK 73070
CENTRAL CREDIT SERVICE PO BOX 15118 JACKSONVILLE FL 32239
CITI FINANCIAL MORTGAGE ATTENTION BANKRUPTCY DEPARTMENT PO BOX 79022 MS 322 ST LOUIS MO 63179
CITIFINANCIAL INC PO BOX 140489 IRVING TX 75014
CITIFINANCIAL PO BOX 70923 CHARLOTTE NC 28272
CITIMORTGAGE INC PO BOX 6941 THE LAKES NV 88901
CITY OF VERNON PO BOX 1519 VERNON TX 76385
COMMUNITY STATE BANK PO BOX 3910 TUPELO MS 38803
CONTINENTAL ATTN: RECOVERY 652 BUSH RIVER RD COLUMBIA SC 29210
ECMC LOCKBOX # 8682 PO BOX 75848 ST PAUL MN 55175
ECMC PO BOX 75906 ST PAUL MN 55175
ER SOLUTIONS INC PO BOX 9004 RENTON WA 98057
FINANCIAL CONTROL SER PO BOX 21626 WACO TX 76702
HSBC AUTO FINANCE BANKRUPTCY NOTICES PO BOX 17909 SAN DIEGO CA 92177
HSBC AUTO FINANCE PO BOX 60130 CITY OF INDUSTRY CA 91716
HSBC AUTO FINANCE PO BOX 829009 DALLAS TX 75382
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75242
JOY LYNN PERKINS 1919 BOWIE ST VERNON TX 76384
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
NATIONAL BANKRUPTCY SERVICES 9441 LBJ FREEWAY STE 350 DALLAS TX 75243
NATIONAL CREDIT SOLUTION 3675 E I 240 SERVICE ROAD OKLAHOMA CITY OK 73135
NCO FIN 38 PO BOX 13564 PHILADELPHIA PA 19101
PALISAD COLL PO BOX 100018 KENNESAW GA 30156
PANHANDLE PLAINS STUDENT LOAN CENTER PO BOX 839 CANYON TX 79015
PORTFOLIO RC PO BOX 9204 OLD BETHPAGE NY 11804
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 12914 NORFOLK VA 23541
PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK VA 23541
RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603
SOUTHWESTERN BELL TELEPHONE C/O PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK VA 23541
TEXAS GUARANTEED STUDENT LOAN CORP TG-MAIL CENTER ATTN CLAIMS CLMS 1-1(1E3) 3500 WADLEY PLACE STE 303 AUSTIN TX 78728
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
US DEPT OF HOUSING AND URBAN DEVELOPMENT 2488 E 81ST STREET SUITE 700 TULSA OK 74137
VATIV FOR PALISADES COLLECTION PO BOX 19249 SUGAR LAND TX 77496
WAGGONER NATIONAL BANK PO BOX 2271 VERNON TX 76385
WEST & ASSOCIATES 555 REPUBLIC DRIVE STE 101 PLANO TX 75074
WILBARGER CAD 2808 WILBARGER STREET PO BOX 1519 VERNON TX 76385
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242
WORLD ACCEPTANCE CORP 1521 MAIN ST VERNON TX 76384
WORLD ACCEPTANCE CORP 3108 WILBARGER ST VERNON TX 76384
WORLD ACCEPTANCE CORPORATION ATTN BANKRUPTCY PROCESSING CENTER PO BOX 6429 GREENVILLE SC 29606